

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 3 February 2006. Responsive to that Office Action, Claim 2 has been canceled, Claim 1 is now amended and Claim 12 newly-inserted for further prosecution. It is believed that with such amendment and insertion of Claims, there is a further clarification of the pending Claims' recitations.

In the Office Action, the Examiner rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over the Sano, et al. reference. In setting forth the rejection, the Examiner acknowledged that Sano, et al. fails to disclose the dielectric constant, however, stated that products of identical composition may not have mutually exclusive properties. The Examiner, however, merely objected to Claim 2 as being dependent upon a rejected base claim, but indicated that the Claim would be allowable if rewritten in independent form to include all of the limitations of the base and any intervening claims.

Accordingly, the subject matter of Claim 2 is now incorporated into independent Claim 1, with Claim 2 being canceled. Such amendment of Claims is made in the interests of expediting prosecution of this case given the Examiner's indication of allowable subject matter. Such an amendment of Claim 1 is made, moreover, without addressing the merits of the Examiner's rejections of Claim 1

under 35 U.S.C. § 102 or, in the alternative § 103. It is now believed that Claim 1 is in allowable form.

Additionally, newly-inserted independent Claim 12 has been added for further prosecution with Claim 1. As newly-inserted independent Claim 12 now more clearly recites, Applicant's claimed composition is one where A' and A'' are each independently Ca, Ba, Sr, Zn, Ni, Mn or Cu. Therefore, the claimed composition is for a phosphate-based ceramic with a low dielectric constant that exhibits excellent dielectric characteristics, without incorporation of magnesium.

The full combination of these and other features now more clearly recited by Applicant's pending Claim 12 is nowhere disclosed by the cited reference. Note in this regard that the Sano, et al. reference specifically prescribes the use of magnesia which is used for its low dielectric loss at high frequencies and thus for its use as a high-frequency insulator. The reference specifically states that a ceramic for high-frequency electric insulation which has, "as its principal component, magnesia." That is, the invention specifically necessitates the use of magnesia in the oxide form for use in high-frequency electric insulation. Whereas, Applicant teaches a phosphate-based ceramic composition that has a low dielectric constant without the necessary use of magnesium or magnesium oxide.


It is respectfully submitted, therefore, that the cited Sano, et al. reference fails to disclose the claimed composition as recited in Claim 12 of Applicant's

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pending Claims. Further, as the reference fails to suggest the claimed composition, it cannot make obvious that claimed invention.

It is now believed that Claims 1 and 12 are in allowable form. It is respectfully submitted, therefore, that the subject Patent Application has now been placed fully in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE


Morton J. Rosenberg
Registration #26,049

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Suite 101
3458 Ellicott Center Drive
Ellicott City, MD 21043
(410) 465-6678
Customer No. 04586